

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. John Charles Mardis

Docket No. 4:08-CR-68-1D

Petition for Action on Supervised Release

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of John Charles Mardis, who, upon an earlier plea of guilty to Theft of Firearms from a Federal Firearms Licensee and Aiding and Abetting, in violation of 18 U.S.C. §§ 922(u), 924 and 2, and Possession of a Firearm in Furtherance of a Drug-Trafficking Crime, in violation of 18 U.S.C § 924(c)(1)(A), was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on April 22, 2009, to the custody of the Bureau of Prisons for a term of 126 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On January 27, 2011, pursuant to Rule 35(b), the defendant's imprisonment sentence was reduced to 100 months.

John Charles Mardis was released from custody on August 26, 2015, at which time the term of supervised release commenced.

On November 15, 2016, a Petition for Action was submitted to the court advising that the defendant was excessively using alcohol and making unwelcome, threatening, and obscene contact with an ex-girlfriend. As a result of the violations, the defendant was ordered to abstain from alcohol, serve 90 days home detention, and have no contact with the victim.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 11, 2017, Mardis tested positive for cocaine and also admitted to using cocaine the day before. As a sanction for the violation, the probation officer respectfully recommends the conditions of supervised release be modified to include the DROPS Program at the second use level. The defendant is also being referred for substance abuse treatment and participation in the surprise urinalysis program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

John Charles Mardis
Docket No. 4:08-CR-68-1D
Petition For Action
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: December 13, 2017

ORDER OF THE COURT

Considered and ordered this 17 day of December, 2017, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge